



State of Connecticut
DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
30 TRINITY STREET - 4th Floor
HARTFORD, CONNECTICUT 06106
(860) 509-6405 Telephone
(860) 509-6495 Fax

RENEE L. CIMINO
ASSISTANT PUBLIC DEFENDER
renee.cimino@jud.ct.gov

Testimony of Renee Cimino
Assistant Public Defender
Office of Chief Public Defender
Raised Bill No. 6691

An Act Concerning False Statements to Certain Law Enforcement Officers.
Government Administration and Elections
Committee Public Hearing
March 23, 2009

The Office of Chief Public Defender opposes *Raised Bill No. 6691, An Act Concerning False Statements to Certain Law Enforcement Officers*, which if enacted, would expand current statutes pertaining to false statements and designate the making of a false oral statement or comment to certain inspectors appointed by the Chief State's Attorney a class D felony crime.

This office objects to *Raised Bill 6691, An Act Concerning False Statements to Certain Law Enforcement Officers*, as drafted, because it does not include language that the false statement be made under oath, or with notice that false statements made therein are punishable as a crime. Also of concern to this Office is the fact that the proposed legislation expands current law pertaining to false statements to include both written and oral statements, including statements not sworn to under oath, and increases the penalty from a misdemeanor to a felony. This office objects to this proposed legislation as it would not provide any procedural safeguards, such as videotaping, to ensure that the "false statement" is made knowingly, voluntarily and with the constitutional protections pertaining to self-incrimination, notice and the right to counsel being provided. Any legislation enacted without such constitutional protections could result a person, including victims and/or witnesses, being charged with a felony based upon an inspector's subjective interpretation/misinterpretation of any verbal and/or written statement made during a criminal investigation. This office believes the proposed legislation could have the effect of discouraging any victim/and or witness from coming forward to recant false statements made against innocent defendants for fear of being charged with a felony.

Testimony-Renee Cimino, Assistant Public Defender, Office of Chief Public Defender
R.B. No. 6691-An Act Concerning False Statements to Certain Law Enforcement Officers
Government Administration and Elections-Public Hearing-March 23, 2009

In regard to written statements made under oath, this proposed legislation is unnecessary as inspectors appointed by the Chief State's Attorney are already protected from false statements by an existing statute, C.G.S. §53a-157b, *False statement in the second degree: Class A misdemeanor*. This existing statute allows for the arrest and conviction of any person who intentionally makes a false written statement under oath or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable, which he does not believe to be true and which statement is intended to mislead a public servant in the performance of his official function. In addition, it is this Office's position that an inspector appointed by the Chief State's Attorney is already included in the definition of "Public Servant" as articulated in C.G.S. §53a-146, *Definitions*.